S.B.Criminal Misc. Petition No.979/2004

In

S.B.Cr.Misc. Bail Appl. No.3693/2004

Date of order : 04.11.2004

HON'BLE MR.H.R.PANWAR,J.

Mr.M.K.Garg, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor.

By this criminal misc. petition under section 482 Cr.P.C., the petitioner seeks extension of time to appear before the trial court and move a regular bail. By order dt. 18.10.2004, the petitioner was directed to appear before the trial court on 26.10.2004 and move a regular bail. It was further directed that till 25.10.2004, the petitioner shall not be arrested in criminal case No.1135/2004.

Learned counsel for the petitioner submits that the petitioner was at Surat (Gujarat) on the relevant date, therefore, the order could not be communicated to him. He further submits that the petitioner is still at Surat (Gujarat) and undergoing treatment, he is unable to travel to his native place and move a regular bail.

In the circumstances, therefore, it is directed that the petitioner shall appear before the trial court on 22.11.2004 and move a regular bail. If the petitioner surrenders and move a regular bail before the trial court, the trial court shall enlarge him on bail on the terms and conditions which the trial court thinks fit.

Till 21.11.2004, petitioner Nank Ram s/o Uttam Chand shall not be arrested in criminal case No.1135/2004. It is made clear that if the petitioner does not surrender before the trial court on 22.11.2004, it will be open for the trial court to secure his presence by non-bailable warrant.

The instant petition stands disposed of.

(H.R.PANWAR),J.

m.asif/-